H 919 § ~~97-98~~ 97-98

G. R. S. IX-5]

Previous references. 1896-97

191 (G-J)

File, No. 20 896

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

Memo ~~Part~~ B for March. 1898

SUBJECT.

Amendment of certain Sections in the Mysore Service Regulation

---

W 18 E

Indexed

Countermarked

Kws

W D 88—GPB—50,000—24-7-18

Addendum proposed by Mr Kelly

In note 1 under article 218, insert "in all" after "3 months". At the end of it add "Provided however that under special circumstances he may be granted leave exceeding the maximum period not exceeding by three months at a time" without however having a claim to such allowance beyond the expiry of that maximum period."

In note 1, under article 221 make a similar insertion & addition.

C

I concur in the proposal.

I would, however, remark that the terms "lien" & "claim" in connection with temporary appointments seem to me inapplicable & inapplicable. The terms would imply that a temporary man has a kind of right or title to the temporary post he is appointed to, so long as it lasts. It should be at the discretion of Govt absolutely to retain or remove him at their pleasure, without assigning any reason, or with reasonable notice.

C. Barrow

10-2-98.

Ordered to be circulated to all Heads of Offices

Mr Kelly's proposal of the above addition

11-1-98

C

But these are the words used in the Accountant General's Printed circular & all Branches suggest the Accountant Gl's decision be embodied in our General Regulations - Govt Audit Rules - Kelly can be referred

11-1-98. P.T.O.

919/

MYSORE P. W. DEPT.

Mis 1755 4842

4.12.97.

TO THE DEWAN OF MYSORE

for orders.

—o—

I put up printed Circular no. XXIX of 1895 by the Ac.-countant General of India, giving an interpretation of rule 1 of article 372 of the British Civil Service Regulations, which is to the effect that 3 months leave on medical certificate, or with-out allowances, is the maxi-mum admissible to a tem-porary hand; and that if his absence exceeds that period, he ceases to have a lien on his temporary appointment.

II I addressed the Comptroller of Mysore, on the 8th May 96, pointing out to him that the above appears to be the correct rendering of the rule (1) of article 221 of the Mysore Service Regulations (corresponding with the rule in British Regulations quoted above), instead of that it merely limits leave to 3 months at a time,

I should have some authoritative ruling on the point, which might be in the form of an explanatory note inserted in the Regulations. As I understand that these Regulations are now under revision in the Comptroller's office, this seems a good opportunity for having such an explanatory note inserted.

III If you agree in the view taken by me, I request the favour of your issuing the necessary orders to the Comptroller of Mysore.

C. Unwin, Colonel

Secy: to Govt of Mysore, P.W.D.

30/6/97.

Trans. P. W.

Genl. Dept

Col Bowen's proposal

Seems reasonable enough

1/12/97

Issued Nos B 116 to 118 of 1897 to Comptroller

Vide work Rules for Enlistment

Ltr to Asst Comptroller

Ltr to Accountant Genl

9-12-97.

as has been supposed by some officers of this Dept; and that the issue of an amended rule, making this matter quite clear, seems desirable. He replied on 4th Dec. that the rule will be amended on receipt of the Addenda & Corrigenda to the British C.S. Regulations, which are regularly supplied to his office. I wrote to him again on 17th Nov. 96, to the effect that if the Addenda & Corrigenda expected by him have not been rec'd, it seems unlikely that any will be issued; & suggested that he should make his application for the amendment of the rule in question, basing it on the Accts' Genl Circular.

I put up his final reply dated 15th instant, stating that no addenda or corrigenda of the rule have been rec'd from India and that the Accountant Genl's Circular will be simply recorded in his & the Examiner's office for guidance. I do not think this will be sufficient, as it seems necessary that all sanctioning officers (in the P.W. Dept, Supg Engrs & Exv. Engrs have power to grant leave to Lower Subs: & office establishment) should

6308.
5 NOV. 1895

[*For Examiners only*]

Circular No. XXIX of 1895.

ACCOUNTANT GENERAL,

PUBLIC WORKS DEPARTMENT.

21 MAY 96

ESTABLISHMENT

Interpretation of the notes to articles 369 and 372, Civil Service Regulations, regarding leave to temporary employés.

Simla, the 17th September, 1895.

The Examiners of Public Works Accounts, Madras and Coorg, Bombay, Bengal, North-Western Provinces and Oudh, Punjab, Central Provinces, Burma, Assam, Hyderabad, and Rajputana and Central India.

The Examiner of Public Works and Railway Accounts, Baluchistan.

The Examiner of Accounts, Military Works Department.

The Examiner of Telegraph Accounts.

The Examiners of Accounts, North-Western, Oudh and Rohilkhand, Eastern Bengal, Burma, East Coast, and Bezwada-Madras State Railways.

The Examiner of Accounts, Mari-Attock Extension Railway and Frontier Railway Surveys.

The Examiner of Accounts, Bhavnagar-Gondal-Junagadh-Porbandar Railway.

The Examiner of Accounts, State Railway Stores.

The Examiners of Guaranteed Railway Accounts, Madras and Bombay.

The Government Examiners of Accounts, East Indian, Bengal-Nagpur, Southern Mahratta, Indian Midland, Rohilkhand-Kumaon, Bengal and North-Western, and Assam-Bengal Railway Companies.

[*For information only.*]

The Engineer-in-Chief, Ujain-Bhopal Railway.

The following is forwarded to the officers noted on the margin, for information and guidance.

R. G. MACDONALD,

Accountant General.

No. 2234-M.-W., dated the 29th August, 1895.

From—The Government of India, Military Department,

To—The Director General of Military Works.

I am directed to acknowledge the receipt of your letter No. 2124-A., dated 11th June 1895, addressed to the

P. W. Dept.

Secretary to the Government of India, Finance Department, enquiring whether, under the note to article 372, Civil Service Regulations, three months' leave without allowances is the maximum that may be allowed to a temporary officer during the entire period of his temporary service, or is the maximum admissible at a time, irrespective of any past or future extraordinary leave.

2. In reply, I am to say that a temporary officer cannot claim to retain any lien upon his temporary appointment if he absents himself (on leave without allowances) for more than three months. He is not, however, debarred from a second grant of such leave, at the option of his superior officer.

No. 2257-M.-W., dated the 30th August, 1895.

From—The Government of India, Military Department.

To—The Director General of Military Works.

I am directed to acknowledge the receipt of your letter No. 2183-A., dated 18th June 1895, addressed to the Secretary to the Government of India, Finance Department, enquiring whether, under the note to article 369, Civil Service Regulations, the three months' "leave on medical certificate" is the maximum that may be allowed to a temporary employé during the entire period of his temporary service, or is the maximum admissible at a time, irrespective of any past or future leave on medical certificate.

2. In reply, I am to refer you to this Department letter No. 2234-M.-W., dated 29th August 1895, and to say that, as in the case of leave without allowances, the intention of the rule is that a temporary employé shall have no claim that his appointment shall be kept open for him after three months' absence on leave on medical certificate, and that his superior may, if longer leave is required, proceed to make new temporary arrangements.

G. C. Press, Simla.—No. 344 P. W. D., A. G.—10-9-95.—350.

ACCTS OFFICE'S OFFICE
1 97
BOMBAY
MYSORE

No. 8182

OFFICE OF THE COMPTROLLER OF MYSORE,
Bangalore 15th June 1897

15 June

By 720-96-2

From

E. R. SUBBRAYAR, Esq.,
Comptroller of Mysore.

To

The Chief Engineer
of Mysore.

SIR,

With reference to your № 2431 dated 7th June 1897 regarding the amendment of rule 1 under Article 221 of the Mysore Service Regulations, I have the honor to state that the Leave, Pension, Pay and Acting allowance rules contained in the Mysore Service Regulations, with the exception of some specially sanctioned by Mysore Government, have been taken verbatim from the British Regulations, and these rules are amended only on Addenda and Corrigenda issued by the Government of India in the Financial

Department

SECRETARY'S OFFICE
Regd No. 2692
19 JUN. 1897
Mysore P. W. Dept.

Department. In the present instance no addenda or Corrigenda have been received, as the Public Works Accountant General's Circular No XXIX of 1895 is not an amendment of rule 1 of 372 of the British Regulations which corresponds with rule 1 of Article 221 of the Mysore Service Regulations, but an interpretation of that rule, which will be recorded both in this and in the Examiner's office for guidance.

I have the honor to be,

Sir,

Your most obedient Servant

Comptroller.

ws

1897-8

4842 93/12/97
To Mis 1755
The Comptroller

Date 8-12-97

Ref 6626 Encl 3 ~~to voucher~~
Mis 1356

I am forwarding herewith with enclosures
Memo+ dated 30th June 1897
from the Secretary P.W.D.
regarding the amendment of
Rule 1 under Article 221 of the
Bryan Service Regulations.
I ask the favour to request
~~Sel Bowis proposal memo~~
~~was the subject of a telegram~~
that the Comptroller will be
good enough to submit the draft
of a corrigendum for the approval
of Government.

Byron

Ill 4/12/97

for Secretary
BB

+ to be returned

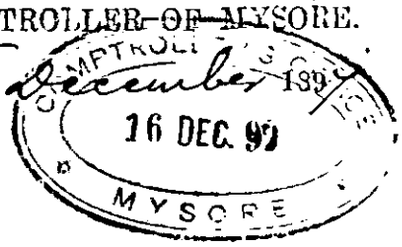
G 720-96 3

Sp. & Audit-dept. G.J. 20/9/97-4

OFFICE OF THE COMPTROLLER OF MYSORE.

No. 4340 Ecn 4 / 1317

Bangalore, 15th December 1897



From

E. R. SUBRAYER, Esq.,

Comptroller, Mysore Government.

To

The Secretary to the Govt. of Mysore,

Genl. & Rev. Dept.

Sir,

In reply to your letter No. 6626 of / 1356 the 8th Instt. forwarding certain Correspondence from the Secretary P.W.D. regarding the amendment of Rule 1. under Article 221 of the Mysore Service Regulations and requesting to submit a draft of a corrigendum, I have the honor to submit herewith for approval of Govt. a draft of the proposed addendum to be inserted as rule 2 to Articles 218 and 221 of the Service Regulations. If approved, it will be inserted in the Revised Edition now in type. The enclosures received with your letter are herewith returned.

I have the honor to be

Sir

Your most obt. Servant

Sd/ E. R. Subrayer

for Comptroller

K.

Mis 1938 FIC T
5398
18-12-97
1895 97 OF MYS

Gen. 30]

From H 1012

E. R. SUBRAYER, Esq.,
Comptroller, Mysore Govt.

To

The Secretary to the Govt. of Mysore,
Rev & Genl Dept.

Dated

Despatched

Received

General No. 4340/97

No.

Enclosure No.

In reply to

SUBJECT.

Submitting for approval & Govt. a draft of the proposed addendum to be inserted as rule 2 to articles 218 and 221 of the Service Regulations

References (to be entered only in the Dewan's Office).

Submitted with my
1891
28/12
Addl to Secy Ill 2/1/98

Addendum —

Add the following as Rule 2 to Articles 218 and 221.

Rule 2. He cannot claim to retain any lien on his temporary or officiating appointment if he absents himself on leave under this article for more than three months. He is not, however, debarred from a second grant of such leave at the option of his superior officer.

H Eccles

Comptroller

Draft a.s for ord

5

Q.720 7365

Read:—

Correspondence ending with letter No 4340 dated 15th December 1897 from the Comptroller, Mysore Government: Submitting for approval a draft of the proposed addendum to be inserted as Rule 2 to articles 218 & 221 respectively of the Mysore Service Regulations.

No 7929-30 — 24/2/98.
H. 770 24.

Order thereon:—

Government observe that the principal object with which Note 1 was appended to sections 218 & 221 of the Mysore Service Regulations, is that when an officer not on the permanent establishment has a temporary or officiating appointment only

"Medical certificate, and
"his superior may if
"longer leave is required,
"proceed to make new
"temporary arrangements."

X. Insert the following as Note 2 to Section 221 of the M. I. Regns: —

II Section 221

"Note 2. A temporary
"officer cannot claim to
"retain any lien upon
"his temporary appoint-
"ment if he absents
"himself (on leave with-
"out allowances) for
"more than 3 months. He
"is not however debarred
"from a second grant
"of such leave at the
"option of his Superior
"Officer"

(23/2/98)

23/2/98

22/2/98 — 23/2/98 Secretary

The Comptroller, Inspr Genl.

& The Compiler, Inspr Genl

for publication of the Notifn

in the Gazette as No

Chiefs & Secys DDs. Note reference on this & date 30th June/97.

Treasury Account Department

No. 6699 / 1984

OFFICE OF THE COMPTROLLER OF MYSORE.

Bangalore, 17th March 1898

From

E. R. SUBRAYER, Esq.,

Comptroller, Mysore Government.

To

The Secretary to the Govt. of Mysore,

Genl & Rev Depts.

Sir,

With reference to Government Ro: No 7929-30 / H 771 dated 24th February 1898 sanctioning and forwarding for insertion in the Mysore Service Regulations Certain addenda as Rule 2 to Articles 218 and 221, I beg to inquire if the Rules as now drafted do not apply to officers who hold Officiating appointments only and whether under Note 2 below Article 218, a Temporary Officer is or is not debarred from (1) a second grant of leave on Medical Certificate (2).

2. With due deference, I beg to submit that the wording of the Rules now sanctioned admits of these doubts and to point out that a new term "Employe" requiring a definition has been therein employed instead of the word "Officer" already duly defined in the Regulations.

I have the honor to be,
Sir,
Your most obedient Servant
E R Subrayer
Comptroller

1) Rule 220 Govt provision for grant of leave on Med Certt for more than 3 months is not made.

2) Is not debarred if the period does not exceed 3 months (as per Note 2 to Art 220) for Otherwise debarred / debarred

Rule may be altered in the sense of Officer in the Service

No. 6812
Fl. 1149

Gen. 30]

GOVERNMENT OF MYSORE 189 8

From

E. R. SUBRAYER, Esq.,
Comptroller, Mysore Govt.

To

The Secretary to the Govt. of Mysore,

_____ *Dept.*

Dated 17/3

Despatched

Received

General No. 6699/1784

No.

Enclosure No.

In reply to

SUBJECT.

Inquiring if the rules as now framed do not apply to officers who hold office by appointment only and whether under rule 192 & art. 218, a temporary officer is or is not debarred from a second grant of leave on medical

References (to be entered only in the Dewan's Office).

Draft as per orders.

From

GOVERNMENT OF MYSORE

The Secretary to Govt.
Genl & Rev: Depts.

To

The Comptroller,
Mysore Govt.

97.20.96-7

Dated. 30/30.3.98

No. 9439/71 919.

His letter No. 6699/1984 dated 17th March 1898, regarding the insertion of Note 2 to Articles 218 and 221 respectively of the Mysore Service Regulations.

in the Mysore Service Regulations

With reference to the enquiries made in the above he has the honor to state —

(1) That ~~though~~ the rules as already framed ~~drafted~~ apply to officers who hold officiating appointments only & that no ~~yet~~ provision is made therein for grant of leave on medical certificate for more than

3 months, ~~in all~~ though a temporary officer is not debarred from ~~is not made,~~ a second grant of leave on Medical Certificate provided the total period does not exceed 3 months in all;

(2) that under Note 2 to Article 218, a Temporary officer is not debarred from a second grant of leave on medical certificate if the period does not exceed 3 months as provided for in Note 1 but if otherwise, such officer is debarred from ~~se~~ a second grant of the leave referred to,

and (3) that the word "employé" used in Note 2 to Article 218 may be changed into "officer" in the revised edition of the Service Regulations.

By order

H. Saunders 27/3/95
Reed 28/3/95
28/3/95 Secretary.

Reed 29/3/95.